

Exhibit 30

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

BLACK LOVE RESISTS IN THE RUST by and through
MARIELLE SHAVONNE SMITH and CHARIS HUMPHREY
on behalf of its members, SHAKETA REDDEN,
DORETHEA FRANKLIN, TANIQUA SIMMONS, DE'JON HALL,
JOSEPH BONDS, CHARLES PALMER, SHIRLEY SARMIENTO,
EBONY YELDON, and JANE DOE,
individually and on behalf of a class of all
others similarly situated,

Plaintiffs,

-vs-

CITY OF BUFFALO, N.Y., BYRON B. BROWN,
Mayor of the City of Buffalo, in his individual and
official capacities,
BYRON C. LOCKWOOD, Commissioner of the
Buffalo Police Department, in his individual
and official capacities,
DANIEL DERENDA, former Commissioner of the
Buffalo Police Department, in his individual capacity,
AARON YOUNG, KEVIN BRINKWORTH, PHILIP SERAFINI,
ROBBIN THOMAS,
UNKNOWN SUPERVISORY PERSONNEL 1-10,
UNKNOWN OFFICERS 1-20, each officers of the
Buffalo Police Department,
in their individual capacities,

Defendants.

Examination Before Trial of
EBONY YELDON, Plaintiff, taken pursuant to the Federal Rules
of Civil Procedure, in the law offices of HODGSON RUSS LLP,
The Guaranty Building, 140 Pearl Street, Suite 100, Buffalo,
New York, taken on December 13, 2022, commencing at 10:18
A.M., before NICHOLE WINANS, Notary Public.

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Any documentation regarding the fact
that the ticket from within the last
year was dismissed or thrown out

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Anything in writing to the judge before
the day of the hearing to the extent
that's available

1 APPEARANCES:

2 WESTERN NEW YORK LAW CENTER,
3 By KEISHA A. WILLIAMS, ESQ.,
4 Cathedral Park Tower,
5 37 Franklin Street,
6 Suite 210,
7 Buffalo, New York 14202,
8 Appearing for the Plaintiffs.

6 NATIONAL CENTER FOR LAW AND ECONOMIC JUSTICE,
7 By KARINA K. TEFFT, ESQ.,
8 50 Broadway,
9 Suite 1500,
10 New York, New York 10004,
11 Appearing for the Plaintiffs.

9 HODGSON RUSS LLP,
10 By PETER A. SAHASRABUDHE, ESQ.,
11 The Guaranty Building,
12 140 Pearl Street,
13 Suite 100,
14 Buffalo, New York 14202-4040,
15 Appearing for the Defendants.

14
15 (The following stipulations were entered
16 into by all parties.)

17 It is hereby stipulated by and between counsel
18 for the respective parties that the oath of the
19 Referee is waived, that signing, filing and
20 certification of the transcript are waived, and
21 that all objections, except as to the form of the
22 questions, are reserved until the time of trial.
23

1 E B O N Y Y E L D O N ,
2 40 Bush Street, Buffalo, New York 14207,
3 after being duly called and sworn,
4 testified as follows:
5

6 EXAMINATION BY MR. SAHASRABUDHE:
7

8 Q. All right. Good morning, Miss Yeldon. We met
9 off the record, but my name is Peter
10 Sahasrabudhe, I'm an attorney for the Defendants
11 in a lawsuit that you're a named Plaintiff in,
12 and I represent all the Defendants, and I'm here
13 to ask you a few questions today. The first
14 question is, have you ever given deposition
15 testimony before?

16 A. Outside of this?

17 Q. Yes. In any proceeding, whether it be in this
18 lawsuit or another lawsuit. Have you ever given
19 deposition testimony of any kind?

20 A. No.

21 Q. Okay. Have you ever given sworn testimony of any
22 kind?

23 A. Yes.

1 Q. Could you tell us in what setting or what
2 capacity you gave sworn testimony?

3 A. Well, I don't understand sworn, but I would say
4 like regular like going to court.

5 Q. Have you ever --

6 A. Family --

7 Q. I apologize. Have you ever testified in a
8 courtroom before?

9 A. Oh, yes.

10 Q. Okay. And in what setting or capacity did you
11 testify?

12 A. As far as like court family matters.

13 Q. Okay. So this is going to be a little bit
14 different than those proceedings, so I'm going to
15 explain a couple rules to you, but some of the
16 same rules that would apply in courtroom
17 testimony apply here today. So the first thing
18 is, I need you to give full verbal answers to all
19 of my questions.

20 A. Okay.

21 Q. Sometimes in every day, colloquial conversations
22 it's easy to just say uh-huh or uh-uh or nod your
23 head or shake your head, but that doesn't really

1 get transcribed well, and sometimes the
2 transcription might not accurately reflect your
3 answer, so to the best you can, can we agree that
4 you'll give me a full verbal response to my
5 questions, whether that's a yes or a no?

6 A. Yes.

7 Q. Okay. And one very important rule is that the
8 court reporter needs to accurately transcribe
9 both what I say and what you say, so to the best
10 that we can, can we agree that we won't talk over
11 each other, meaning I'll try to let you finish
12 your answer before asking my next question, and
13 to the best of your ability, will you try to let
14 me finish my question before giving your answer?

15 A. Yes.

16 Q. Okay. If you don't understand my question, which
17 might happen, sometimes questions are just bad
18 questions, sometimes I don't phrase things in a
19 way that's easily understandable, and that's on
20 me, when that happens, will you just let me know
21 and then I can rephrase or repeat the question in
22 a way that is more understandable or a better
23 phrasing of the question?

1 A. Yes.

2 Q. Okay. And the converse of that is if you do
3 answer my question without asking me to clarify,
4 I'm going to take that to mean that you
5 understood my question. Is that fair?

6 A. Yes.

7 Q. Okay. I don't want you to guess or speculate at
8 all today. Can we agree that any answer you
9 give, you won't be guessing or speculating, and
10 if you are guessing or speculating, you will tell
11 me that you are doing so?

12 A. Yes.

13 Q. Okay. Do you understand the difference between a
14 guess and an estimate?

15 A. Yes.

16 Q. Okay. Can you describe to me what your
17 understanding is of the difference between a
18 guess and an estimate?

19 A. A guess is, a guess is --

20 Q. Well, I can do it this way. If I asked you how
21 far away we are from each other right now, what
22 would you say?

23 A. That's a guess.

1 Q. Well, if you wanted to answer the question how
2 would you answer the question, how far apart are
3 you and I from one another in feet or inches?

4 A. Ten, fifteen.

5 Q. Okay. And you're basing that -- you don't have a
6 tape measure, right?

7 A. Correct.

8 Q. But you're basing off your understanding of your
9 observations and what you can see right now,
10 correct?

11 A. Yes.

12 Q. If I asked you what my birthday was, what would
13 your answer be?

14 A. I don't know.

15 Q. Because you would have to completely guess as to
16 what my birthday was, correct?

17 A. Yes.

18 Q. So fair to say you can estimate how far away we
19 are from each other, but you would have to
20 completely guess or speculate as to what my
21 birthday is, correct?

22 A. Yes.

23 Q. Do you understand that distinction?

1 A. Yes.

2 Q. Okay. So today I might ask you to estimate
3 sometimes, but can we agree that when I do, you
4 will be estimating, and you will not guess or
5 speculate?

6 A. Yes.

7 Q. Okay. If you need to take a break at any time,
8 you're totally free to do so, you can get up, you
9 can use the bathroom, get a drink, the only
10 caveat to that is that you need to answer the
11 pending question before you take a break. Okay?

12 A. Yes.

13 Q. Do you understand?

14 A. Yes.

15 Q. From time to time your attorney may object to a
16 question I have, this isn't like a courtroom
17 proceeding though where a Judge will rule on the
18 objection. If an objection is stated, you still
19 need to answer my question to the best of your
20 ability unless you are directed by your attorney
21 not to answer the question. Do you understand?

22 A. Yes.

23 Q. Okay. Are you currently on any medications that

1 would affect your ability to give truthful and
2 accurate testimony today?

3 A. No.

4 Q. Any reason at all that you wouldn't be able to
5 give truthful and accurate testimony today?

6 A. No.

7 Q. Nothing you want to tell me about that would
8 affect your ability to give truthful and fully
9 accurate testimony?

10 A. No.

11 Q. Okay. What did you do to prepare for your
12 testimony today? And before you answer that, the
13 caveat is, I don't want to know about the
14 contents of any conversations you had with your
15 attorneys, but if you did, in fact, meet with
16 them, I would like to know that.

17 A. Yes. Correct.

18 Q. Okay. About how many meetings did you have with
19 your attorneys to prepare for your deposition
20 testimony?

21 A. Just one.

22 Q. About how long was that meeting?

23 A. About three hours, two.

1 Q. Okay. Did you review any documents at that
2 meeting?

3 A. No.

4 Q. You can't recall looking at any single piece of
5 paper or any document during that time that you
6 met with your attorneys?

7 A. Can I go back and rephrase that?

8 Q. Absolutely.

9 A. We did like a Zoom meeting, so --

10 Q. Okay. Well, let me ask this. Did you look at
11 any documents over the computer screen?

12 A. On my own behalf, yes.

13 Q. Okay.

14 A. Like I reviewed myself the paperwork they sent
15 me, if that's what you mean.

16 Q. Okay. And can you tell me what paperwork you
17 reviewed?

18 A. I'm trying to think of -- regarding this case,
19 like overall?

20 Q. In preparation for your deposition testimony
21 specifically, so I'm not asking about any time.
22 Just in order to prepare for today, could you
23 tell me the documents that you looked at, whether

1 it was during the meeting with your attorneys or
2 any time before or after?

3 A. Okay. No. Not based on that.

4 Q. Okay. So in other words, you don't recall what
5 documents you looked at, as you sit here today?

6 A. I do recall. Most like if you -- if this is a
7 correct answer you're looking for, it's just stay
8 calm.

9 MS. WILLIAMS: Not between --

10 BY MR. SAHASRABUDHE:

11 Q. Okay. I don't want to know what they told you.

12 A. Okay.

13 Q. Any piece of paper or document that you looked at
14 during your preparation. So any conversation you
15 had, anything they told you or anything you told
16 them, don't tell me. I don't want to know, I'm
17 not allowed to know.

18 A. I'm sorry.

19 Q. But I'm really focused on pieces of paper that
20 you looked at to prepare.

21 MS. WILLIAMS: Or documents.

22 BY MR. SAHASRABUDHE:

23 Q. Or documents, yes.

1 A. Yes.

2 Q. Could you tell me what pieces of paper or
3 documents you looked at?

4 A. Preparation?

5 Q. And look, if you don't remember, you don't
6 remember, that's fine.

7 A. Okay. Then I don't remember.

8 Q. Okay. That's fine. But so fair to say, you
9 recall looking at documents, but as you sit here
10 today, you can't recall specifically what
11 documents those were?

12 A. Yes.

13 Q. Okay. Other than your attorneys, did you speak
14 with anyone about your deposition testimony
15 today?

16 A. No.

17 Q. Okay. Have you ever spoken with any other
18 Plaintiff in this lawsuit at any time?

19 A. No.

20 Q. Do you know any other Plaintiff in this lawsuit?

21 A. No.

22 Q. Okay. Are you a member or have you ever been a
23 member of an organization known as Black Love

1 Resists In The Rust?

2 A. No.

3 Q. Do you even know what that organization is?

4 A. No.

5 Q. Have you ever heard of that organization before?

6 A. Yes.

7 Q. Other than in conversations with your attorneys,
8 could you tell me in what setting you have heard
9 of that organization?

10 A. Other than, none.

11 Q. Okay. So other than being told about that
12 organization by attorneys, you had no knowledge
13 of it prior?

14 A. Correct.

15 Q. Okay. Have you spoken -- since this lawsuit was
16 filed, have you spoken with anyone about the
17 allegations of your lawsuit besides your
18 attorneys?

19 A. No.

20 Q. No one other than your attorneys?

21 A. Other than the law firm, no.

22 Q. Okay. Fair. And I should clarify, anyone
23 associated with the law firm that your attorneys

1 work for I don't want to know about either, just
2 non-lawyer conversations with other individuals.
3 The answer to that is you haven't spoken with
4 anyone?

5 A. Correct.

6 Q. Okay. Could you tell us your date of birth,
7 please?

8 A. [REDACTED]

9 Q. Other than Ebony Yeldon, have you ever gone by
10 any other names?

11 A. No.

12 Q. Are you currently married?

13 A. No.

14 Q. Have you ever been married?

15 A. No.

16 Q. Do you have a significant other that you live
17 with?

18 A. No.

19 Q. Do you have any children?

20 A. Yes.

21 Q. How many children do you have?

22 A. Four.

23 Q. Could you tell me your oldest child, is it a boy

1 or a girl?

2 A. A boy.

3 Q. Can you tell me his name?

4 A. [REDACTED]

5 Q. Can you tell me how old [REDACTED] is?

6 A. Seventeen.

7 Q. Does he currently live with you?

8 A. Yes.

9 Q. Is he in school?

10 A. Yes.

11 Q. Where does he attend school?

12 A. He goes to a GED program.

13 Q. Is that through ECC?

14 A. Buffalo Public Schools.

15 Q. Okay. Does [REDACTED] is he currently employed?

16 A. No.

17 Q. Your second child, is it a boy or a girl?

18 A. A girl.

19 Q. Can you tell me her name?

20 A. [REDACTED] [REDACTED] [REDACTED]

21 Q. How old is [REDACTED]

22 A. Sixteen.

23 Q. Does she currently live with you?

1 A. Yes.

2 Q. Where does [REDACTED] attend school?

3 A. Global High School.

4 Q. I'm sorry. Global?

5 A. Charter -- High School. Global High School.

6 Q. Okay. Is it a charter high school?

7 A. No.

8 Q. Okay. Where is that located?

9 A. Lackawanna.

10 Q. Okay. Your third child's name, is it a boy or a
11 girl -- or, sorry, withdrawn. Bad question. Is
12 your third child a boy or girl?

13 A. Boy.

14 Q. What is his name?

15 A. [REDACTED]

16 Q. How old is [REDACTED]

17 A. Just turned six.

18 Q. Does he currently live with you?

19 A. Yes.

20 Q. Where does he attend school?

21 A. REACH Academy Charter School.

22 Q. How about your youngest child, boy or girl?

23 A. A boy.

1 Q. What is his name?

2 A. [REDACTED] [REDACTED]

3 Q. What is [REDACTED] last name?

4 A. [REDACTED]

5 Q. How old is [REDACTED]

6 A. Two.

7 Q. Does he attend pre-school?

8 A. No.

9 Q. Okay. Does he live with you?

10 A. Yes.

11 Q. Okay. My understanding is [REDACTED] and [REDACTED]
12 share the same last name because they have the
13 same father, would that be correct?

14 A. Yes.

15 Q. Okay. Do they spend any time living with their
16 father?

17 A. No.

18 Q. Okay. And are [REDACTED] and [REDACTED] do they share
19 the same father?

20 A. Yes.

21 Q. Do they spend any time living with their father
22 or do they live with you full-time?

23 A. Live with me full-time.

1 Q. Okay. Where do you currently live?

2 A. The address?

3 Q. Yes. What is your current address?

4 A. 40 Bush Street.

5 Q. Is Bush Street in the City of Buffalo?

6 A. Yes.

7 Q. Can you describe or tell us what general
8 geographic area of Buffalo Bush Street is on?

9 A. I don't understand.

10 Q. Is Bush Street on the East Side of Buffalo?

11 A. No.

12 Q. Is Bush Street on the West Side of Buffalo?

13 A. Somewhat.

14 Q. Okay. So what side of Buffalo would you say Bush
15 Street is on?

16 A. Like around Black Rock.

17 Q. Okay. The Black Rock neighborhood?

18 A. Yes.

19 Q. Okay. For how long have you lived at that Bush
20 Street address?

21 A. One year.

22 Q. Do you own or rent?

23 A. Rent.

1 Q. Before you lived at the Bush Street address, what
2 address did you live at?

3 A. 257 Breckenridge Street.

4 Q. And what cross street is that closest to?

5 A. Grant Street.

6 Q. Fair to say that that is on the West Side of
7 Buffalo?

8 A. Correct.

9 Q. For how long did you live there?

10 A. Three years, like three and a half.

11 Q. When you lived there, did you live there with
12 your kids?

13 A. Yes.

14 Q. And did they live with you every day of the week
15 or did they split time with their respective
16 fathers at that time?

17 A. They lived there.

18 Q. Okay.

19 A. And can I go back, because I'm not sure of the
20 time frame I lived there.

21 Q. Yes. And I should say, if you feel like you need
22 to clarify anything at any point, please tell me
23 and you're more than free to do so.

1 A. Okay.

2 Q. So I take it you want to clarify something about
3 the time period that you lived at the
4 Breckenridge address?

5 A. I want to say two, three years, but I'm not sure
6 exactly.

7 Q. Okay. So somewhere in between two and three
8 years you lived at the Grant Street address?

9 A. Yes.

10 Q. Certainly not less than two years though?

11 A. Correct.

12 Q. Okay. And certainly not more than five years?

13 A. Correct.

14 Q. Okay. How about before the Grant Street --
15 sorry, withdrawn. Did you own or rent at the
16 Grant Street address?

17 A. On Breckenridge.

18 Q. Sorry. Breckenridge address.

19 A. Rent.

20 Q. Okay. Before you lived at the Breckenridge
21 address, where did you live?

22 A. A shelter.

23 Q. Okay. Where was the shelter?

1 A. I don't remember the address.

2 Q. Do you recall the name?

3 A. No.

4 Q. That's okay. If you don't, I just want to know
5 what you know and what you remember. Okay? If
6 you don't know, don't guess. And for how long
7 did you live there at the shelter?

8 A. I would just say roughly a couple months.

9 Q. Okay. And were your kids there with you?

10 A. Yes.

11 Q. What general area of the city was the shelter in,
12 if you remember?

13 A. The East Side.

14 Q. Before you went to the shelter, where did you
15 live?

16 A. On -- it was either on Main Street or -- can you
17 give me a second?

18 Q. Of course. Take your time. And just so you
19 know, the pauses don't show up on the transcript,
20 so if you need time to think, just take your
21 time.

22 A. I'm trying to think of the street. I'm picturing
23 it, I'm just trying to think of the name. I went

1 blank. It was either Main Street or Millicent.

2 I think Main Street, I was there a couple months,
3 then Millicent, so Main Street.

4 Q. Okay. Would it be fair to say that you at
5 different points lived on Main Street and
6 Millicent?

7 A. Yes.

8 Q. All right. And you just can't remember exactly
9 where in order it was in relation to when you
10 ultimately went to the shelter?

11 A. Yes.

12 Q. Okay. Is there one particular place where you
13 lived longer than the other between Main Street
14 and Millicent or was it about the same relative
15 time period?

16 A. I lived on Millicent longer than Main Street, if
17 that's what you're asking.

18 Q. Yes. That is what I'm asking.

19 A. Yes.

20 Q. For how long did you live there?

21 A. On Millicent?

22 Q. Yes.

23 A. Roughly two to three years.

1 Q. What area of Buffalo is Millicent in?

2 A. East Side, near Cheektowaga.

3 Q. Is Millicent in the suburb of Maryvale

4 Cheektowaga or is it --

5 A. No.

6 Q. -- just close to the boarder of Maryvale

7 Cheektowaga?

8 A. Yes.

9 Q. Okay. So technically it's in the City of Buffalo
10 still?

11 A. Yes.

12 Q. How about before you lived at Millicent, and
13 other than if the Main Street address came
14 before, I don't want to know about that, but
15 before Millicent, where did you live?

16 A. I don't remember.

17 Q. Okay. Have you ever lived anywhere outside of
18 the City of Buffalo in the last ten years?

19 A. No.

20 Q. Okay. Only residences have been in the City of
21 Buffalo?

22 A. Yes.

23 Q. Did you grow up in the City of Buffalo?

1 A. Yes.

2 Q. What neighborhood or neighborhoods did you grow
3 up in primarily?

4 A. East Side.

5 Q. Did you live on the East Side of Buffalo for the
6 entirety of your childhood?

7 A. Yes.

8 Q. What schools did you attend?

9 A. Grammar school?

10 Q. Yes. Let's start, where did you attend grammar
11 school?

12 A. MLK 39.

13 Q. And did you ultimately go onto middle school
14 somewhere?

15 A. Well, I graduated, that goes up to eighth grade.

16 Q. Okay. And so you finished at MLK, you finished
17 the eighth grade there?

18 A. Yes.

19 Q. And did you then go onto high school?

20 A. Yes.

21 Q. Where did you attend high school?

22 A. The first one, South Park High School.

23 Q. For how many years did you attend South Park?

1 A. Two.

2 Q. Did you then transfer to another high school?

3 A. Yes.

4 Q. What high school was that?

5 A. Traditional.

6 Q. Did you ultimately graduate from Traditional?

7 A. No.

8 Q. How far did you get?

9 A. To eleventh grade.

10 Q. Is there any particular reason why you didn't
11 finish, that you can recall?

12 A. No.

13 Q. Were your grades sufficient to pass the eleventh
14 grade?

15 A. Yes.

16 Q. Did you pass the eleventh grade?

17 A. I got my GED.

18 Q. Okay. Is GED your highest level of education?

19 A. No.

20 Q. What would you say your highest level of
21 education is?

22 A. I have two Associate's in college.

23 Q. What are your Associate's degrees in?

1 A. Medical assistant and medical administrative.

2 Q. When did you receive your medical assistant
3 degree?

4 A. I don't remember which year.

5 Q. Was it more than five years ago?

6 A. Yes.

7 Q. Was it less than ten years ago?

8 A. Say that question again.

9 Q. Was it less than ten years ago that you received
10 your medical assistant degree?

11 A. Yes.

12 Q. So somewhere between five and ten years ago is
13 when you received the degree?

14 A. Yes.

15 Q. Can you tell us where you got that degree from?

16 A. Bryant and Stratton.

17 Q. And you told us you had another Associate's
18 degree.

19 A. Yes.

20 Q. And what was the name of that degree?

21 A. Which one did you get, medical assistant?

22 Q. Yes. We were just talking about your medical
23 assistant degree, so the one other than your

1 medical assistant degree.

2 A. Medical administrative.

3 Q. Do you recall how long ago you received that
4 degree?

5 A. That was around the same time.

6 Q. Okay. Around the same approximate time period
7 you got both degrees?

8 A. Yes.

9 Q. Are you currently studying to get any further
10 degrees?

11 A. No.

12 Q. Any plans or hopes to go back to school or at
13 this time are you, for the foreseeable future not
14 going back to school?

15 A. As far as -- I don't know if it's school, but
16 like real estate I'm looking forward to that, but
17 not school like education.

18 Q. Trying to get a certification in real estate?

19 A. Yes.

20 Q. Have you taken any steps to get that
21 certification?

22 A. Yes.

23 Q. Can you tell me what you've done?

1 A. I went to school.

2 Q. Where did you go?

3 A. Online school. Real Estate -- I forget the name
4 of the school.

5 Q. Okay. Are you still taking classes online or
6 have you completed the classes?

7 A. I completed.

8 Q. All right. And have you received your
9 certification?

10 A. No.

11 Q. Okay. What other steps do you have to take to
12 get your certification?

13 A. Pass my exam.

14 Q. Okay. When is that?

15 A. Well, I didn't reschedule for the first one, I
16 didn't reschedule.

17 Q. Okay. So to be determined when you're going to
18 take the exam to get the certification?

19 A. Yes.

20 Q. But all that's left to do is take the exam?

21 A. Yes.

22 Q. Any other certifications you're looking to get or
23 receive?

1 A. No.

2 Q. How are you currently employed, Miss Yeldon?

3 A. You're asking me where am I employed?

4 Q. Yes. What do you do for --

5 A. Right now a bus driver.

6 Q. Who are you a bus driver for?

7 A. Western New York Bus Company.

8 Q. Is that a private bus company?

9 A. No.

10 Q. It's public transportation?

11 A. Yes.

12 Q. Do you drive in the City of Buffalo?

13 A. No.

14 Q. Where do you operate your bus?

15 A. In Lackawanna.

16 Q. Do you have to have a special license to operate
17 a bus?

18 A. Yes.

19 Q. What did you have to do to receive that license?

20 A. Initially?

21 Q. Yeah. I guess let's start with this. What is
22 the name of the special license or designation
23 that you need to operate a bus?

1 A. A class B.

2 Q. A class B?

3 A. Yes.

4 Q. And what steps do you have to go through to get a
5 class B certification on your license?

6 A. Training, take a written exam, a driving exam.

7 Q. How long did it take you to obtain a class B
8 certification on your license?

9 A. Roughly a couple months.

10 Q. How long have you been driving for Western New
11 York Bus Company?

12 A. Going on approximately a year and a half.

13 Q. Do you have a salary or are you paid per hour?

14 A. Per hour.

15 Q. How much are you paid per hour?

16 A. Twenty-six.

17 Q. Twenty-six dollars an hour?

18 A. Yes.

19 Q. How long are your normal shifts?

20 A. It varies.

21 Q. Okay. What's the range of hours that you work in
22 a shift?

23 A. I don't understand.

1 Q. From lowest to highest, what are the amount of
2 hours you would work?

3 A. A day?

4 Q. Yes. A day.

5 A. The lowest four, the highest six.

6 Q. Okay. So four to six-hour days?

7 A. Yeah.

8 Q. And is it essentially driving passengers in
9 Lackawanna who need public transportation?

10 A. If you're saying -- it's children we drive.

11 Q. Okay. Is it -- do you operate a school bus?

12 A. Yes.

13 Q. Okay. I get it. Okay. So your company, your
14 company has school buses that then pick up
15 children who attend school in the Lackawanna
16 School District?

17 A. Yes.

18 Q. I see. Okay. And you've been doing that for
19 about a year and a half now?

20 A. Yes.

21 Q. Have you received any raises or pay increases in
22 the year and a half that you've worked there?

23 A. Yes.

1 Q. When was that?

2 A. Last year.

3 Q. Do you recall how much of a raise you received?

4 A. Either twenty-three or twenty-four, I was getting
5 last year.

6 Q. So your increase in pay was about two to three
7 dollars per hour?

8 A. Yes.

9 Q. Prior to driving a school bus, how, if at all,
10 were you employed?

11 A. Well, let me see. I was working at a dollar
12 store.

13 Q. Do you recall the name of the dollar store?

14 A. Family Dollar.

15 Q. Do you recall where the Family Dollar was that
16 you worked at?

17 A. West Ferry.

18 Q. Do you recall the closest cross street?

19 A. West Ferry and Grant Street.

20 Q. How long did you work there at Family Dollar?

21 A. Maybe a month, two months. A month.

22 Q. Let me ask you this. Was there any time in
23 between your employment at Family Dollar and the

1 time when you got hired to be a school bus driver
2 that you were unemployed?

3 A. Yes.

4 Q. How long did that last for?

5 A. Let me see. Ask that question again.

6 Q. So in between when you stopped working at Family
7 Dollar and when you started your work as a school
8 bus driver, there was a time period where you
9 were not employed, is that correct?

10 A. No.

11 Q. Okay.

12 A. It was before Family Dollar.

13 Q. Okay. So no -- immediately after you stopped
14 working at Family Dollar is when you began your
15 work as a school bus driver, would that be fair
16 to say? And maybe not immediate, but pretty
17 quickly after you stopped your work at Family
18 Dollar, you started your work as a school bus
19 driver, is that fair to say?

20 A. Can I correct that?

21 Q. Yes, please.

22 A. I worked at Family Dollar, and then I took care
23 of children, and then I went to school bus

1 driving.

2 Q. Okay. So there was employment you had in between
3 Family Dollar and being hired as a school bus
4 driver?

5 A. Yes.

6 Q. Okay. Where were you employed in between Family
7 Dollar and your employment as a school bus
8 driver?

9 A. I'm trying to think of the name. They closed
10 down.

11 Q. My understanding is it was a child care facility?

12 A. Yes.

13 Q. Where was it located?

14 A. On Bailey.

15 Q. Where was the nearest cross street?

16 A. Bailey and Delavan.

17 Q. Okay. How much were you compensated per hour at
18 the child care facility?

19 A. I don't remember.

20 Q. Was it more or less than you're compensated as a
21 school bus driver?

22 A. Less.

23 Q. Are you paid more than ten dollars an hour more

1 as a school bus driver than you were when you
2 worked at the child care facility?

3 A. I don't remember exactly.

4 Q. Okay. Could you estimate approximately how much
5 more you make per hour as a school bus driver?

6 A. You told me not to estimate.

7 Q. I told you not to guess.

8 A. Okay. You're right. I'm trying to think.

9 Q. And if you can't, you can't, but --

10 A. I really don't remember.

11 Q. Okay. But you know for sure you make more now as
12 a school bus driver?

13 A. Yes.

14 Q. Okay. How long were you employed as a child care
15 worker?

16 A. Maybe between a month and three months, not long.

17 Q. Okay. And immediately after you stopped working
18 as a child care worker, is that when you became a
19 school bus driver?

20 A. That's when I got my license, yes.

21 Q. Okay. And before you were a child care worker,
22 you worked for approximately two months at Family
23 Dollar?

1 A. Yes.

2 Q. Did you leave Family Dollar to work at the child
3 care facility?

4 A. Yes.

5 Q. Did that entail an increase in pay?

6 A. I believe it was around the same, I'm not sure.

7 Q. Do you recall why you left Family Dollar?

8 A. I was trying to get, I was trying to get back to
9 jobs that I lost, if that makes sense.

10 Q. I think I know what you're talking about. Was
11 there something about working for Family Dollar
12 that prevented you from seeking out employment
13 that you had at one point lost?

14 A. You're asking me why I didn't stay at Family
15 Dollar?

16 Q. Exactly.

17 A. That wasn't the work I'm looking for. It wasn't
18 the work I was used to, if that makes sense.

19 Q. Basically, you just didn't -- the line of work
20 wasn't what you were accustomed to?

21 A. Correct.

22 Q. And you wanted to do something else?

23 A. Correct.

1 Q. All right. Before you worked at Family Dollar,
2 how, if at all, were you employed?

3 A. I wasn't, it took a while.

4 Q. Okay. So prior to obtaining employment at Family
5 Dollar, there was a period of time in which you
6 were unemployed?

7 A. Yes.

8 Q. Can you tell us approximately how long that
9 lasted, that period of unemployment?

10 A. I know for sure more than two years.

11 Q. Okay. So for over two years before working at
12 Family Dollar, you were unemployed?

13 A. Yes.

14 Q. And that was consistent for the entirety of that
15 two-year period?

16 A. Yes.

17 Q. There was no job at all that you worked?

18 A. No.

19 Q. How were you employed before you became
20 unemployed during that two-year period?

21 A. School bus driver.

22 Q. Who were you a school bus driver for at that
23 time?

1 A. Right. Student Transportation.

2 Q. So again, is that another company who allows
3 school districts to use their buses to pick up
4 students?

5 A. Yes.

6 Q. What school district -- withdrawn. Could you say
7 the company name again? I missed it.

8 A. Student Transportation.

9 Q. Okay. What school district did Student
10 Transportation drive for?

11 A. Buffalo.

12 Q. Okay. Buffalo Public Schools?

13 A. Yes.

14 Q. Or were they charter schools?

15 A. No. Buffalo.

16 Q. It was Buffalo Public?

17 A. Yes. Can I rephrase that?

18 Q. Go ahead.

19 A. It depends what run you was on, they might have
20 went out of Buffalo, but I was doing Buffalo
21 Schools.

22 Q. Okay. For how long were you employed by them?

23 A. Less than a year at that company.

1 Q. Do you recall how much you were paid?

2 A. That's before the raises had started, so I don't.

3 But it was between seventeen and nineteen maybe.

4 Q. So fair to say a little bit less than you're
5 currently making?

6 A. Yes. Because -- yes. Because they had -- over
7 the years they had raises, so yes.

8 Q. And prior to that, how were you employed?

9 A. School bus driving.

10 Q. For what company?

11 A. For either Student Transpo or First Student.

12 Q. Okay.

13 A. But it's all school bus driving.

14 Q. Have you worked for both of those companies at a
15 certain point?

16 A. Yes.

17 Q. Okay. And you just can't recall which one came
18 before?

19 A. Right.

20 Q. Okay. Well, let's start with First Student, for
21 how long were you employed by them?

22 A. A year.

23 Q. Do you recall what school district you drove for?

1 A. Buffalo.

2 Q. Buffalo Public?

3 A. Yes.

4 Q. Do you recall how much you were paid?

5 A. No.

6 Q. How about what was the name of the other company
7 you said besides First Student?

8 A. Student Transpo.

9 Q. Student Transpo?

10 A. Um-hum.

11 Q. How long did you work for Student Transpo?

12 A. Maybe more than a year. I'm not sure, but
13 between one and two years.

14 Q. Do you recall how much you were paid there?

15 A. At that time probably around the top pay,
16 seventeen, nineteen dollars.

17 Q. Before those two companies, how, if at all, were
18 you employed?

19 A. How often?

20 Q. How, if at all, were you employed?

21 A. Yes.

22 Q. Where did you work?

23 A. Oh.

1 Q. No, that's okay. That was a bad question.

2 A. I don't remember then.

3 Q. Okay.

4 A. Oh, like I was like a respite caretaker.

5 Q. Respiratory?

6 A. Like a caretaker.

7 Q. Okay. At a medical facility?

8 A. Like at home.

9 Q. Okay.

10 A. Like take care.

11 Q. For people who were either ill or in assisted
12 living?

13 A. It was a variety. Like ill or needed help, if
14 that helps you.

15 Q. It does a little bit. Do you recall the name of
16 the organization?

17 A. Yes.

18 Q. What was the name of the organization?

19 A. The Arc Center.

20 Q. Arc Center?

21 A. Yes.

22 Q. How long did you work there?

23 A. Seven years.

1 Q. Do you recall what your position was, like the
2 name of your position?

3 A. They called it like a respite care worker, like a
4 home care worker, home health aide, care worker,
5 like CNA.

6 Q. Okay. And you were there for seven years?

7 A. Yes.

8 Q. Were you there for seven years continuously?

9 A. Yes.

10 Q. Did you work full-time continuously?

11 A. Yes. Sometimes I had a second job, so I would
12 fit that in, but yes.

13 Q. About how much were you paid?

14 A. I don't remember back then.

15 Q. Was it more than twelve dollars an hour?

16 A. I don't remember.

17 Q. Do you recall if it was more than minimum wage?

18 A. Maybe minimum wage -- I don't remember.

19 Q. Okay. Other than the two-year time period in
20 between being a school bus driver and working at
21 Family Dollar where you were unemployed, in the
22 last ten years, have you ever had any other spell
23 or period of unemployment?

1 A. No.

2 Q. Just those two years that you told us about
3 earlier?

4 A. Roughly those two years, yes.

5 Q. Have you ever worked as a cab driver before?

6 A. Yes.

7 Q. When did you work as a cab driver approximately?

8 A. The years?

9 Q. The years or the approximate length of time in
10 between now and then, if you remember.

11 A. I don't remember the length of time, but I know
12 when it stopped.

13 Q. Okay. When did it stop?

14 A. Like around when it stopped.

15 Q. Around when did it stop?

16 A. Around 2016. How can I forgot, but --

17 Q. When you worked as a cab driver, did you have any
18 other jobs?

19 A. Yes.

20 Q. And what other jobs did you have at that time?

21 A. The ones I just explained.

22 Q. Okay. Were you -- let me ask you this. How long
23 did you work as a cab driver for?

1 A. I don't want to guess, so approximately like --

2 Q. Your best estimate.

3 A. Five years.

4 Q. Okay. And so would it be fair to say that your
5 work as a cab driver was a side job?

6 A. Yes.

7 Q. Okay. And so there were times maybe where you
8 were a bus driver as your full-time employment,
9 but you drove a cab on the side, would that be
10 fair to say?

11 A. Yes. Just starting, so yes. Yes.

12 Q. All right. And perhaps other times where you
13 were working at the child care facility we spoke
14 about earlier, but then also driving a cab as a
15 second job?

16 A. I don't understand that question.

17 Q. Well, I'll withdraw it because it wasn't that
18 great of a question. Was there ever a time where
19 you were working at that child care facility that
20 we talked about earlier, and also working as a
21 cab driver?

22 A. No. I don't think so.

23 Q. Okay. So fair to say that during the time that

1 you were a cab driver, your main source of income
2 would have been driving school buses, and the
3 money you made from driving a cab would have been
4 a secondary source of income, would that be fair?

5 A. Yes.

6 Q. Okay. Did you make more money as a school bus
7 driver than you did as a cab driver?

8 A. Yes.

9 Q. Do you recall approximately how much money you
10 made as a cab driver or did it vary based on
11 rides?

12 A. It did, yes.

13 Q. Any recollection as to what an average night
14 would make you?

15 A. No.

16 Q. What was the name of the cab company you drove
17 for?

18 A. Cold Spring Cab.

19 Q. Cool Spring Cab?

20 A. Cold Spring Cab.

21 Q. Cold. And I can't remember if I asked this, and
22 I apologize if I did. How long did you drive for
23 Cold Spring Cab?

1 A. I'd said roughly around five years.

2 Q. Five years. Okay. Was it on and off or was it
3 pretty continuous?

4 A. On and off.

5 Q. Would it depend upon your availability, or would
6 it be just when they called you and asked you to
7 drive?

8 A. I don't understand that, but it was --

9 Q. Withdrawn. I'll withdraw it. What dictated when
10 you would work there versus when you were not
11 working there, because you said you worked there
12 on and off?

13 A. Based on if I needed the money, I will work, so
14 most of the time I did work.

15 Q. I see. Would you call someone at the company to
16 let them know that you were looking for shifts as
17 a cab driver, is that how it would work?

18 A. No. No.

19 Q. Could you explain to me how it would work, how
20 you would get a shift driving a cab?

21 A. I was either an a.m. shift or a p.m. shift,
22 sometimes they have private owners. If I was an
23 a.m. driver, I would drive every day for a.m.,

1 and I would switch off with another driver at
2 night.

3 Q. When was the a.m. shift, what times was it in
4 between?

5 A. What times was the a.m. shift?

6 Q. Yes.

7 A. Times varied, but mostly five in the morning. If
8 you picked up five in the morning, you would end
9 at five o'clock in the afternoon.

10 Q. Okay. When you did that shift, was it primarily
11 on the weekends?

12 A. No.

13 Q. So how were you able to both drive a school bus
14 and do the cab driving?

15 A. School bus got a split shift.

16 Q. I see. So on days where you were off with the
17 school bus, you would take the a.m. shift for the
18 cab?

19 A. Um-hum.

20 Q. And that lasted for approximately five years?

21 A. Yes. Or sometimes I would try to drive the cab
22 in between, like on my break from school bus
23 driving.

1 Q. Understood. So in between shifts with the school
2 bus, you would take a shift with the cab company?

3 A. Yes.

4 Q. Who was your boss at Cold Spring Cab Company?

5 A. At that time -- I don't even remember his name.
6 I don't remember his name.

7 Q. Did it ever change, who your boss was, in your
8 five years working there?

9 A. Yes.

10 Q. Do you remember the name of your boss at any
11 time?

12 A. When I first started, yes. Her name was Lisa.

13 Q. Do you remember Lisa's last name?

14 A. No.

15 Q. Any other supervisor that you can recall other
16 than Lisa?

17 A. I don't remember his name. I didn't -- we didn't
18 have supervisors, if that makes sense.

19 Q. It does. Let's ask this. How would you go about
20 -- withdrawn. Did you have the same car the
21 whole time that you were driving for Cold Spring?

22 A. No.

23 Q. Did you change cars from shift to shift?

1 A. From shift to shift, I don't know how to answer
2 that question. Why I'm stuck on that is because
3 if I was driving for one driver, I would have the
4 same car, but as I moved to the other drivers,
5 towards when this happened, that was another car,
6 but it was the same car with that owner.

7 Q. Okay.

8 A. If that makes sense.

9 Q. I will do this. Would Cold Spring Cab Company,
10 did they themselves own the cabs that you would
11 drive or were there individual owners of the cabs
12 that you would drive?

13 MS. WILLIAMS: Objection. You can answer.

14 THE WITNESS: It's both.

15 BY MR. SAHASRABUDHE:

16 Q. Explain that to me, what do you mean?

17 A. The company has their cars, and they also have
18 private owners that have cars.

19 Q. Okay.

20 A. But they're under that company.

21 Q. Okay. So there are certain cars that are just
22 straight up owned by Cold Spring, correct?

23 A. Correct.

1 Q. But there are certain cars, although they are
2 under the name of Cold Spring, they are
3 officially owned by another individual?

4 A. Yes.

5 Q. I understand. How often during your five years
6 there did you drive cars that were just owned by
7 Cold Spring?

8 A. None.

9 Q. You never operated a taxi that was only owned by
10 Cold Spring Cab Company, to the best of your
11 recollection?

12 A. They all was under Cold Spring.

13 Q. I understand.

14 A. But I drove for private owners under Cold Spring.

15 Q. Okay. Did you drive for the same private owner
16 the entirety of the time you worked there?

17 A. No.

18 Q. Did it change from time to time?

19 A. Yes.

20 Q. About how many times did it change?

21 A. Just the two.

22 Q. Who were the two owners who you drove for?

23 A. Lisa, and the last guy I can't remember his name

1 at the time.

2 Q. Okay. Were there any other private owners that
3 other drivers would drive for or was it just Lisa
4 and this one gentleman?

5 A. It was others.

6 Q. But as far as your time there went, you only
7 drove Lisa's car or this other gentleman's car?

8 A. Correct.

9 Q. Whose car did you drive first?

10 A. Lisa.

11 Q. For how many, for how long did you drive Lisa's
12 car?

13 A. It's hard to say -- or, I don't remember.

14 Q. Was it multiple years?

15 A. I don't remember the time. Not multiple years, I
16 don't think.

17 Q. Okay. So you eventually after a certain period
18 of time, switched from driving Lisa's car to
19 driving this other gentleman's car?

20 A. Yes.

21 Q. And you would have driven his car for multiple
22 years?

23 A. If I can say it, I don't remember the -- I know

1 the time frame, but I don't know how many years.

2 Q. Okay. Well, you told us you worked for Cold
3 Spring for approximately five years, right?

4 A. Yes.

5 Q. And so if you drove Lisa's car for under a year
6 or about a year, and the rest of the time you
7 were driving this other gentleman's car, would it
8 be fair to say then you were driving his car then
9 for multiple years, but we just don't know the
10 exact time frame?

11 A. Yes.

12 Q. Okay. Did other cab drivers operate the same car
13 as you or was it just you operating this cab, as
14 far as you know?

15 A. All I know as far as the person I had to end my
16 shift with, the other driver I had to --

17 Q. I see. So when you would finish your shift with
18 this gentleman's car, another driver would take
19 it and start their shift?

20 A. Yes.

21 Q. And so as far as you know, it was just the two of
22 you operating the car?

23 MS. WILLIAMS: Objection. You can answer.

1 THE WITNESS: At the time.

2 BY MR. SAHASRABUDHE:

3 Q. Do you recall the other driver's name?

4 A. No.

5 Q. Do you recall whether they were male or female?

6 A. Male.

7 Q. Did this gentleman who owned the cab, as far as
8 you're aware in the time that you worked there,
9 did he ever drive the taxi?

10 A. I'm not sure.

11 Q. Did you ever see him drive the taxi?

12 A. Yes. But --

13 Q. When did you see him drive the taxi?

14 MS. WILLIAMS: Objection.

15 BY MR. SAHASRABUDHE:

16 Q. In what context did you see him drive the taxi?

17 A. If you're -- I don't know how you --

18 Q. I'll withdraw the question and ask another one.

19 Did he ever drive passengers in the taxi, the man
20 who owned the car?

21 A. I'm not sure.

22 Q. You never observed him doing that, did you?

23 A. I don't remember.

1 Q. Okay. Do you recall one way or the other whether
2 you had like a written employment contract with
3 Cold Spring?

4 A. A written contract, no.

5 Q. Never entered into any kind of written agreement
6 as far as you know?

7 A. No.

8 Q. Did you ever have to do anything with an
9 insurance company that would allow you to drive
10 the car, did you ever have -- withdrawn. Did you
11 have to show this gentleman proof of insurance to
12 be allowed to drive his cab?

13 A. What gentleman?

14 Q. The gentleman who owned the cab.

15 A. Did I have to show him proof of insurance?

16 Q. Yes.

17 A. No.

18 Q. Okay. Was there anything that you had to submit
19 or do to be allowed to drive this gentleman's cab
20 that you remember?

21 A. To drive a cab or his cab I would have to have a
22 license, and a hacker's license.

23 Q. Okay. Can you tell me what that is?

1 A. To drive passengers in a cab, a taxi.

2 Q. Can you repeat the name of it, hacker's?

3 A. Yes.

4 Q. Like H-A-C-K-E-R-S?

5 A. Yes, I believe so.

6 Q. What did you have to do to get your hacker's
7 license?

8 A. You had to pay for it.

9 Q. Were there any tests?

10 A. No.

11 Q. Okay. So just paying for the certification
12 essentially?

13 A. Yes.

14 Q. Do you know one way or the other whether this
15 gentleman who owned the cab that you drove, do
16 you know one way or the other whether he still
17 owns that cab?

18 MS. WILLIAMS: Objection.

19 THE WITNESS: No. I haven't spoken with him.

20 BY MR. SAHASRABUDHE:

21 Q. You haven't spoken with him at all since you
22 stopped working at Cold Spring?

23 A. Correct.

1 MR. SAHASRABUDHE: Let's take a five-minute break.

2 THE WITNESS: Okay.

3 (Whereupon, a short recess was then taken.)

4 BY MR. SAHASRABUDHE:

5 Q. Back on. All right. Miss Yeldon, you obviously
6 currently have a valid driver's license, correct?

7 A. Yes.

8 Q. Do you drive to work every day?

9 A. Yes.

10 Q. Do you own your own car?

11 A. Yes.

12 Q. How long have you owned your own car?

13 A. The car I have now?

14 Q. Yes.

15 A. For a year.

16 Q. What kind of car is it?

17 A. A Kia.

18 Q. Do you know the exact model?

19 A. Sorento.

20 Q. Do you know what year?

21 A. No.

22 Q. Did you get it from a dealership?

23 A. Yes.

1 Q. About how long ago did you get it?

2 A. A year.

3 Q. And so you drive your own car to Lackawanna every
4 day for work, would that be fair to say?

5 A. Yes.

6 Q. Do you park your car at a parking lot in
7 Lackawanna and then get into the bus that you
8 drive?

9 A. Yes.

10 Q. And about how long does it take you to get to
11 work?

12 A. Twenty minutes.

13 Q. In the past year and a half since you've had to
14 drive to Lackawanna for work, have you ever been
15 stopped by a police officer specifically when you
16 were driving to work?

17 A. No.

18 Q. How about coming home from work, have you ever
19 been stopped by a police officer coming home from
20 Lackawanna?

21 A. No.

22 Q. When was the last time you received a traffic --
23 withdrawn. When was the last time you received a

1 citation for a vehicle or traffic violation?

2 A. Like what year?

3 Q. Yes. How long ago was it that you received your
4 last citation for a vehicle and traffic
5 violation?

6 A. Can I say when it started, when I lost my
7 license? I don't know a year.

8 Q. Okay. So as far as you remember -- withdrawn.
9 There was a time period where you had no license,
10 correct?

11 A. Correct.

12 Q. And now you have your license again?

13 A. Yes.

14 Q. Since re-obtaining your license, in between that
15 re-obtaining your license and present, have you
16 ever gotten a traffic ticket?

17 A. I'm trying to think to make sure.

18 Q. Take your time.

19 A. Say that question again.

20 Q. Since you got your license back --

21 A. Right.

22 Q. -- and now, as we sit here today, has there ever
23 been a point where you received a ticket for a

1 vehicle and traffic violation?

2 A. I don't think so, no. No.

3 Q. You don't recall any specific instance in between
4 when you got your license back and now that you
5 received a vehicle and traffic citation, you
6 can't think of any?

7 A. Not a citation, no.

8 Q. How about a ticket?

9 A. Maybe a parking ticket.

10 Q. Okay. Where would you have received that parking
11 ticket?

12 A. On the East Side, I would say it was the East
13 Side.

14 Q. Do you recall where your car was parked?

15 A. Yeah. In the East Ferry Homes.

16 Q. Was it in a parking lot?

17 A. Yes.

18 Q. Did you at any point live in the East Ferry
19 Homes?

20 A. No.

21 Q. Were you visiting someone in the East Ferry
22 Homes?

23 A. Yes.

1 Q. As far as you're aware, does the East Ferry Homes
2 parking lot require a parking pass to park there?

3 A. No.

4 Q. Okay. And what was the reason given for the
5 parking ticket listed on the ticket?

6 A. What was the reason, he said I was in the wrong
7 spot.

8 Q. Were you present when the ticket was given to
9 you?

10 A. No.

11 Q. In other words, you came to your car to find a
12 ticket on your windshield?

13 A. Yes.

14 Q. Was it just one ticket?

15 A. Yes.

16 Q. Do you recall how much the parking ticket was
17 for?

18 A. No.

19 Q. Do you recall whether or not you paid that
20 parking ticket?

21 A. No.

22 Q. Do you recall whether or not you've challenged
23 that parking ticket in court?

1 A. Yes.

2 Q. You have?

3 A. Yes.

4 Q. Have you had a proceeding to -- was there a court
5 proceeding held in connection with that parking
6 ticket?

7 A. Can you ask that question again?

8 Q. Have you had any court appearances in connection
9 with this parking ticket that we're talking
10 about?

11 A. Yes.

12 Q. Do you recall what happened at that court
13 appearance?

14 A. Yes.

15 Q. What happened?

16 A. They threw it out.

17 Q. Why did they throw it out?

18 A. Because I was in the right spot.

19 Q. Okay. Do you have that ticket, a copy of it?

20 A. No.

21 Q. Do you recall approximately when your court
22 appearance was?

23 A. No.

1 Q. Were you represented by counsel at your court
2 appearance?

3 A. No.

4 Q. Do you recall if anyone showed up on behalf of
5 the police officer?

6 A. No.

7 Q. Did the police officer show up?

8 A. No.

9 Q. Was this court appearance more than a year ago?

10 A. No.

11 Q. So it was sometime within the past year?

12 A. Yes.

13 Q. Do you recall the time of year?

14 A. In the summer.

15 Q. Okay. Do you have any documentation recording
16 the fact that the ticket was dismissed or thrown
17 out, as you said?

18 A. Do I still have a document?

19 Q. Yes.

20 A. No.

21 Q. Okay. Did you get rid of it?

22 A. Yes.

23 Q. Okay. Do you know for a fact you've gotten rid

1 of it or do you think you got rid of it?

2 A. I did, I got rid of it.

3 MR. SAHASRABUDHE: Okay. I'm just going to index a
4 request on the record, in case there's something
5 out there that does exist, we'll put a request in
6 on the record.

7 BY MR. SAHASRABUDHE:

8 Q. Any other instance where you've received any kind
9 of traffic ticket, whether it's a moving
10 violation or parking in between when you got your
11 license back and present, that you can think of?

12 A. I'm trying to think. I don't remember.

13 Q. Okay. In other words, you can't recall them, as
14 you sit here today, you can't recall any other
15 instance right now?

16 A. No.

17 Q. Okay. When did you get your license back?

18 A. When did I get my license back, around the time a
19 year and a half ago I got this job.

20 Q. So approximately a year and a half ago you
21 re-obtained your license?

22 A. Maybe -- can I have a second?

23 Q. Yes. Take your time.

1 A. No. It's around that time, because that's why I
2 came back.

3 Q. Okay.

4 A. Yes.

5 Q. When approximately did you lose your license?

6 A. Approximately 2015, 2016.

7 Q. Okay. So from 2015 to 2016 until approximately a
8 year and a half ago, you had no driver's license?

9 A. Correct.

10 Q. Okay.

11 A. Wait. I don't remember the year. I'm trying
12 to --

13 Q. Was it -- let me ask this. Was it over a year
14 that you didn't have a license for?

15 A. Oh, yes.

16 Q. Was it over two years?

17 A. Yes. Yes.

18 Q. Do you know if it was over three years?

19 A. It was over three years.

20 Q. Okay. Do you know if it was over four?

21 A. Let me count. It was over three years for sure.

22 Q. Okay. In between three and four years you didn't
23 have a license, fair to say, approximately?

1 A. Yes.

2 Q. Okay. Did you operate a vehicle at all during
3 that time?

4 A. No.

5 Q. Fair to say then that you didn't have any traffic
6 citations or tickets during that time interval?

7 A. Correct.

8 Q. Changing gears a little bit here. If I refer to
9 a traffic safety checkpoint, do you understand
10 what I'm talking about?

11 A. Yes.

12 Q. Can you tell me what your understanding is of a
13 traffic safety checkpoint?

14 A. My understanding?

15 Q. Yes.

16 A. Safety, as they looking for -- make sure your
17 license, registration, insurance is up-to-date.

18 Q. In other words, it's a situation where you
19 individually aren't pulled over, but your car
20 might be looked at by police officers, correct?

21 MS. WILLIAMS: Objection.

22 THE WITNESS: I don't understand that.

23 BY MR. SAHASRABUDHE:

1 Q. Well, let me ask this. Have you ever been
2 through what you understood to be a traffic and
3 safety checkpoint?

4 A. Yes. It was a while ago.

5 Q. About how many occasions did that happen?

6 A. Maybe two.

7 Q. Okay. And I think I heard you say it was a while
8 ago, when was the last time you went through a
9 traffic and safety checkpoint?

10 A. Over two years ago, three years ago -- well,
11 longer than that, but --

12 Q. When was the first time you went through a
13 traffic and safety checkpoint that you
14 remember -- sorry. Where was it that you went
15 through a traffic and safety checkpoint?

16 A. East Side.

17 Q. Do you recall the approximate location?

18 A. Yes.

19 Q. Where was it?

20 A. East Ferry and Grider.

21 Q. Do you recall what happened when you went through
22 the vehicle and traffic safety checkpoint?

23 A. As far as, them checking the car and the

1 registration and insurance.

2 Q. Were you issued a ticket in that instance?

3 A. In that instance, no.

4 Q. And I think you said you remember two instances
5 where you went through a vehicle and traffic
6 safety checkpoint. How long in between that
7 first instance at East Ferry and Grider and the
8 second time was it?

9 A. I don't remember.

10 Q. Okay. Was it over a year?

11 A. Yes.

12 Q. Do you recall where the second instance was?

13 A. Not really. East Side of Buffalo. I'm
14 frequently over there, so --

15 Q. Okay. Do you recall the approximate location,
16 like the cross streets?

17 A. The same, it's mostly Grider.

18 Q. Were you issued a ticket during that instance?

19 A. No.

20 Q. Did you have to pull over to the side of the road
21 in either instance?

22 A. The second time, yes. We had to pull over.

23 Q. Well, so when you say we, do you mean you and all

1 other drivers or was it just you?

2 A. It was --

3 MS. WILLIAMS: Objection. You can answer.

4 THE WITNESS: It was other cars pulled over.

5 BY MR. SAHASRABUDHE:

6 Q. Okay. So the cars that were going through the
7 vehicle and traffic checkpoint pulled over?

8 A. Yes.

9 Q. And that included your car?

10 A. Yes.

11 Q. Okay. But you weren't issued any citation or
12 ticket of any kind?

13 A. No.

14 Q. Other than those two instances, can you think of
15 any other time where you went through a vehicle
16 and traffic safety checkpoint?

17 A. Checkpoint, no.

18 Q. In the City of Buffalo specifically?

19 A. No.

20 Q. And that second instance, can you recall
21 approximately how long ago that was?

22 A. No.

23 Q. Okay. Was it over a year ago?

1 A. Yes.

2 Q. Was it over three years ago?

3 A. Yes.

4 Q. Okay. So it's been multiple years since you've
5 gone through a vehicle and traffic safety
6 checkpoint, correct?

7 A. Yes.

8 MR. SAHASRABUDHE: Can I have this marked as
9 Defendant's Exhibit A.

10

11 (Whereupon, an Amended and Supplemental
12 Class Action Complaint was then received and
13 marked as Defendant's Exhibit A, for
14 identification.)

15

16 BY MR. SAHASRABUDHE:

17 Q. Miss Yeldon, I've just handed you what we marked
18 as Defendant's Exhibit A. I'll represent to you
19 that this is an Amended Complaint filed by your
20 attorneys on behalf of you and some other
21 Plaintiffs in this action. And my first question
22 to you is does this document look familiar to
23 you? And you can take your time to go through it

1 before you answer.

2 A. Yes.

3 Q. Okay. You've seen this document before?

4 A. Yes.

5 Q. How many times have you looked at it?

6 A. Like twice, two.

7 Q. Do you recall when those two instances were?

8 A. Briefly recently, and the first time a while ago.

9 Q. Would it be fair to say that the most recent
10 instance where you looked at this document was in
11 preparation for today?

12 A. Yes.

13 Q. Okay. So you do recall that you reviewed this as
14 part of your preparation?

15 A. Yes.

16 Q. The other instance when you reviewed it a while
17 ago, do you recall approximately when that was?

18 A. No.

19 Q. Do you know one way or the other whether you
20 reviewed it before it was filed?

21 A. No.

22 Q. Okay. You may have reviewed it before it was
23 filed, but you just don't know one way or the

1 other?

2 A. Can you ask that again?

3 Q. You don't, as you sit there today, you don't know
4 if that first time you reviewed this document was
5 before or after it was filed in court, correct?

6 A. I believe it was after.

7 Q. Okay. Any other instances that you remember
8 reviewing this document other than those two
9 we've talked about earlier?

10 A. No.

11 Q. If we could, go to paragraphs two hundred
12 sixty-seven through two hundred ninety-six. I
13 just want you to review those silently, and just
14 let me know when you think you've had enough time
15 to review them.

16 A. Which lines again?

17 Q. Two hundred sixty-seven through two hundred
18 ninety-six.

19 A. Okay. All the way to through two ninety-six?

20 Q. Yes. And I'm not going to ask you about every
21 single paragraph, but just I'm going to ask you
22 generally about what's contained in those
23 paragraphs.

1 A. Okay. Okay.

2 Q. Okay. You feel like you've had enough time to
3 review those paragraphs?

4 A. Yes.

5 Q. Okay. Fair to say that those paragraphs that we
6 just identified, paragraphs two hundred
7 sixty-seven through two hundred ninety-six, they
8 describe an incident where you were cited for
9 traffic violations by an officer by the name of
10 Michael Healy?

11 A. Yes.

12 Q. Do you recall that incident?

13 A. Yes.

14 Q. Can you tell me based on your independent
15 recollection what you recall about that incident?

16 A. How it happened?

17 Q. Yes.

18 A. I was driving in South Buffalo, I believe it's
19 South Park, in a taxi cab, I was just passing a
20 light, the police officer was in the car, just
21 before I passed the light, he ended up pulling me
22 over. He asked for my license, registration of
23 the vehicle. There was an envelope with, there

1 was an envelope with insurance and stuff in it, I
2 gave him the paperwork, I showed him my license.
3 He did wipe his hand on the window -- well, his
4 finger. He went back to the car, he came back,
5 gave me the ticket, I asked him what was the
6 ticket for. He told me I was lucky that I got
7 two tickets instead of four. So I kept quiet,
8 because you don't argue with a police officer. I
9 immediately called the owner of the cab, and
10 that's basically what happened.

11 Q. Okay. So I want to take that a little bit step
12 for step. You said you handed him an envelope,
13 and your recollection was that there was an
14 insurance card in the envelope, is that correct?

15 A. I'm not sure if it was registration or insurance,
16 but it was a proof of -- if I can correct it.
17 Yes. It was proof of insurance month-to-month.
18 In the envelope, from what I remember, that month
19 had just started, and I don't -- I'm not sure if
20 that month was in that envelope for insurance, if
21 I recall it, but I did give him the envelope.

22 Q. Okay. So do you recall specifically seeing an
23 insurance card or a proof of insurance in the

1 envelope?

2 A. Yes.

3 Q. Okay. And do you know, as you sit here today,
4 whether that insurance card or that proof of
5 insurance was for -- was it valid for the
6 specific time of this incident?

7 A. I think the past month's was in the envelope, and
8 I called the owner of the car.

9 Q. Okay.

10 A. Yes.

11 Q. So your recollection is there was no, there was
12 no up-to-date proof of insurance in the car?

13 A. Correct.

14 Q. Okay. Do you recall what you said to the owner
15 when you called him?

16 A. Yes. I asked him -- if that's what it was. I
17 believe I just told him that the police had
18 stopped me. I told him about the tinted windows.
19 Yeah. And I was asking him, if I'm not mistaken,
20 the card of the insurance -- I'm getting mixed up
21 with the insurance and registration, but yeah.

22 Q. Okay. Do you recall that you had one or the
23 other, either the insurance or the registration?

1 A. Yes.

2 MS. WILLIAMS: Objection.

3 BY MR. SAHASRABUDHE:

4 Q. And you just can't recall which one?

5 A. I want to -- the insurance. It was the
6 insurance. And I asked, I asked the police
7 officer to look up the insurance I believe.

8 Q. Okay. Do you recall what time of day it was?

9 A. It was daytime.

10 Q. Do you recall whether the officer before he
11 pulled you over was parked or whether he was
12 driving behind you?

13 A. It depends what you're asking me, he was parked
14 on the side, and came behind me.

15 Q. Okay. So prior to him pulling you over, his car
16 had been parked somewhere?

17 A. Yes.

18 Q. Where was his car parked?

19 A. On the side in the parking lot.

20 Q. Was it in the parking lot of a particular
21 establishment?

22 A. No.

23 Q. What kind of a parking lot was it parked in?

1 A. I'm not sure. It was across -- over there,
2 across from Tops, but I'm not sure what parking
3 lot it was.

4 Q. Okay. But it was a parking lot nonetheless, to
5 your understanding?

6 A. Yes.

7 Q. And at this time this was, you were driving the
8 car owned by the gentleman who is affiliated with
9 Cold Spring Cab Company, correct?

10 A. Yes.

11 Q. How long had you been driving that car at this
12 time?

13 A. Approximately several years.

14 Q. So certainly over a year you had been driving it?

15 A. Yes.

16 Q. Prior to that day had you ever noticed that the
17 windows were tinted?

18 A. Yes.

19 Q. Okay. In other words, the windows were tinted?

20 A. Light tinted, yes. Yes.

21 Q. About how long were you searching for the
22 insurance and registration?

23 MS. WILLIAMS: Objection.

1 BY MR. SAHASRABUDHE:

2 Q. If you remember.

3 A. Couple minutes.

4 Q. Did you at any point during that couple minutes
5 you were searching, were there ever times where
6 you were not observing the officer and what he
7 was doing?

8 A. No. I don't understand.

9 Q. So when you were searching for your insurance,
10 registration or the cab's insurance and
11 registration, were you looking through the glove
12 compartment of the passenger's side of the car?

13 MS. WILLIAMS: Objection.

14 THE WITNESS: Yes. He was standing there, yes.

15 BY MR. SAHASRABUDHE:

16 Q. Well, so different question, where were you
17 searching in the car for those documents?

18 A. The glove compartment, my purse for license.

19 Q. Okay. And while you were searching for that
20 stuff for approximately a few minutes I think you
21 said, did you ever -- did the officer ever leave
22 your line of sight?

23 A. No.

1 Q. So he was standing there the entire time, to the
2 best of your recollection?

3 A. He was standing there while I was getting my
4 license and insurance, but he walked away too.
5 He walked away before he gave me the tickets.

6 Q. Okay. And when he walked away, did you continue
7 searching for documentation in the car?

8 A. No.

9 Q. So you had completed your search at that point?

10 A. Yes.

11 Q. When in relation to when you were pulled over did
12 you call your -- I don't know if he's your boss,
13 but the gentleman who owned the cab?

14 A. I called him right away. Unsure when exactly I
15 called him, unsure.

16 Q. Okay. Was it before or after you drove away from
17 that scene?

18 A. Before.

19 Q. Okay. Was it before or after the officer drove
20 away?

21 A. Before or after, before he drove.

22 Q. Okay. Were you in the car when you placed the
23 call?

1 A. Yes.

2 Q. Did you -- when you placed the call, how long did
3 the conversation last with the gentleman who
4 owned the taxi?

5 A. One to two minutes.

6 Q. Okay. And at that time did the officer ever
7 leave your line of sight?

8 A. That I placed the call or --

9 Q. Yes. During the time from when you placed the
10 call to your boss -- or, not your boss, the
11 gentleman who owned the taxi and when you hung
12 up, was there ever an occasion where the officer
13 left your line of sight?

14 A. Only time he walked away is when he ran my
15 license.

16 Q. Okay. So I guess let's take it step by step. So
17 you get pulled over?

18 A. Um-hum.

19 Q. He gets out of the car?

20 A. Um-hum.

21 Q. He approaches your car?

22 A. Correct.

23 Q. And he asks for your license and registration at

1 that point?

2 A. Yes.

3 Q. Okay. Does he ask for your license and
4 registration and insurance before he touches the
5 window?

6 A. Yes.

7 Q. Okay.

8 MS. WILLIAMS: Objection.

9 BY MR. SAHASRABUDHE:

10 Q. And so while you were searching for the license
11 and insurance, he then touched the window and let
12 you know that they were tinted?

13 MS. WILLIAMS: Objection. You can answer if that's
14 how it happened, if you remember.

15 THE WITNESS: After.

16 BY MR. SAHASRABUDHE:

17 Q. Okay. And then after you've searched for the
18 relevant documentation and handed him the
19 envelope, is that when you called your boss or
20 the gentleman who owned the taxi?

21 A. Yes. I believe so, yeah.

22 Q. Okay. And after you hung up the phone is when
23 he -- the officer ran your license plate and went

1 back to write the tickets up?

2 MS. WILLIAMS: Objection. Answer if that's how it
3 happened sequentially.

4 THE WITNESS: Can you say that again?

5 BY MR. SAHASRABUDHE:

6 Q. So what happened first? You hanging up with your
7 boss or the gentleman who owned the taxi or the
8 officer walking away to run your license plate
9 and write your tickets, what happened first?

10 A. I called my boss first.

11 Q. Okay. And he was there, the officer was standing
12 next to your vehicle the whole time, as far as
13 you remember?

14 A. Yes.

15 Q. And then after you hung up the phone is when he
16 went back to run your license plate?

17 A. Yes.

18 Q. Okay. If you could look at Defendant's Exhibit
19 A, specifically paragraph two seventy-three.

20 Well, before we get there, let me ask you this.

21 After you got the tickets, did you drive away in
22 your taxi?

23 A. Yes.

1 Q. All right. The vehicle was not impounded?

2 A. No.

3 Q. All right. Let's look at, if we could, paragraph
4 two seventy-three. It's on page forty-nine of
5 Defendant's Exhibit A.

6 A. Oh, yes.

7 Q. Fair to say that paragraph two hundred
8 seventy-three alleges that Officer Healy, the
9 officer who pulled you over, he only wiped his
10 finger across the windows, but didn't actually
11 measure the window tint?

12 A. Correct.

13 Q. And as you sit here today, is that allegation
14 consistent with your recollection of the events?

15 A. Yes.

16 Q. Okay. Have you yourself ever measured the tint
17 of windows?

18 A. Myself, no.

19 Q. Never in your capacity as a bus driver or cab
20 driver?

21 A. No.

22 Q. All right. And you never did it with this
23 particular cab that you were in the day that you

1 got pulled over, correct?

2 A. No.

3 Q. So you knew they were tinted but you didn't know
4 the level or the percentage of the tint, right?

5 A. No.

6 MR. SAHASRABUDHE: Okay. I'm going to mark this as
7 Defendant's Exhibit B.

8

9 (Whereupon, a Hearing Before the Honorable
10 Judge Joseph Fiorella was then received and
11 marked as Defendant's Exhibit B, for
12 identification.)

13

14 BY MR. SAHASRABUDHE:

15 And I've just placed before you or our kind court
16 reporter has placed before you what we marked as
17 Defendant's Exhibit B. I'll represent to you
18 that this is a transcript of a hearing held for
19 the tickets issued to you by Officer Healy in the
20 Buffalo Traffic and Violations Court.

21 A. Um-hum.

22 Q. Can you just take some time, it's a seven-page
23 document, to look through it and let me know when

1 you think you've had enough time to review this
2 exhibit.

3 A. I read it.

4 Q. Okay. First of all, do you recall the proceeding
5 in Traffic Court before Judge Fiorella in May of
6 2018?

7 A. Yes.

8 Q. Okay. And you weren't represented by counsel,
9 were you?

10 A. No.

11 Q. You were just there by yourself?

12 A. Yes.

13 Q. If we could look quickly at page four, Yeldon 4.
14 Fair to say that Officer Healy, if we go down to
15 the second full paragraph, in my conversation, I
16 notified the Defendant. Do you see that
17 paragraph?

18 A. Yes.

19 Q. Do you recall Officer Healy testifying that he
20 had, in fact, tested your window tint with a
21 device designed to do so?

22 A. Yes.

23 Q. Why is it that -- and your testimony today, I

1 take it, is that he did not do so?

2 A. No.

3 Q. Okay. Do you recall one way or the other why you
4 did not notify the Judge overseeing your
5 proceedings that he did not, in fact, measure the
6 tint of your windows?

7 A. I thought I had.

8 Q. Okay. Well, would it be fair to say that you've
9 had enough opportunity to review this transcript
10 that we marked as Exhibit B?

11 A. Yes.

12 Q. Would it be fair to say that in this proceeding
13 at least, this transcript, it's -- there's
14 nowhere that you, in fact, notified the Judge on
15 that day at least?

16 A. No -- I mean, yes. I'm agreeing with you, sir.

17 Q. Okay. Right. And you don't recall one way or
18 the other why you didn't notify him of that?

19 A. I thought I stated that, but you can't argue with
20 a judge or police officer.

21 Q. The vehicle itself, were all of its windows --
22 I'm not going to ask about that exhibit for the
23 time being. Were all of its windows tinted, to

1 the best of your recollection?

2 A. I don't remember. I know the back one was. I'm
3 not sure, but I know the -- what is it called, I
4 know the front window wasn't.

5 Q. The windshield?

6 A. Correct.

7 Q. Okay.

8 A. That wasn't. I know the back windows was,
9 because that's what he said. I'm not sure about
10 the front, they might have.

11 Q. Okay. So the back windshield in the back of the
12 car was, in fact, tinted?

13 A. Say that again.

14 Q. So not the front windshield, but the back
15 windshield of the car, that was tinted?

16 MS. WILLIAMS: Objection. The rear-view?

17 BY MR. SAHASRABUDHE:

18 Q. Correct.

19 A. I don't remember about the -- I don't remember.

20 Q. Okay. One set of windows was tinted though?

21 A. Yes.

22 Q. Okay. And you just can't recall whether it was
23 the front windows or the back windows?

1 A. I know it was the back windows. I'm not sure
2 about the front window.

3 Q. Okay. You can't recall one way or the other
4 whether the front windows were tinted?

5 A. Correct.

6 MS. WILLIAMS: Objection. Clarification about
7 windows versus windshield and rear-view and --

8 MR. SAHASRABUDHE: Right. Okay. Let's get it clear
9 on what we're talking about.

10 BY MR. SAHASRABUDHE:

11 Q. So when I say the back window or the back
12 windshield of the car, I'm talking about the big
13 back window in the back of a car that you look
14 through in your rear-view mirror when you're
15 driving. Do you understand?

16 A. Yes.

17 Q. And the rear-view mirror is the small little
18 mirror that you would look at to see out of the
19 back of your car, do you understand that?

20 A. Yes.

21 Q. Okay. And then the back windows are the two
22 windows that a passenger driving in the back seat
23 of your car would look out.

1 A. Yes.

2 Q. Do you understand?

3 A. Yes.

4 Q. And then the front windows are what you, the
5 driver, would look out of and what the passenger
6 would look out of in the passenger's side of the
7 front of the car.

8 A. Yes.

9 Q. Okay. So now that we're on the same page. The
10 back windshield, do you recall one way or the
11 other whether that was tinted?

12 A. No.

13 Q. Okay. You don't know one way or the other?

14 A. Again, the back windshield is the back big one,
15 right?

16 Q. Yes.

17 A. I do not recall.

18 Q. Okay. It might have been, but you just don't
19 know?

20 A. I don't remember.

21 Q. Okay. Would it be fair to say that you received,
22 at least in the initial instance, you got three
23 tickets that day?

1 A. No. I believe he gave me two.

2 Q. Okay. Let's look at --

3 A. I know he gave me two for each window. Oh, so
4 it's three. Oh, yeah, and then insurance.

5 Q. By the way, in reviewing Defendant's Exhibit B,
6 does that refresh your recollection at all as to
7 whether or not you were able to actually find an
8 insurance card when you were asked to look for
9 it, or proof of insurance?

10 A. Yes.

11 Q. And how, how does it refresh your recollection?

12 A. Ask that question again, make sure I answer it.

13 Q. So you said having had an opportunity to review
14 Defendant's Exhibit B refreshed your recollection
15 as to whether or not you were able to find proof
16 of insurance when Officer Healy pulled you over,
17 correct?

18 A. Yes.

19 Q. And how does it refresh your recollection?

20 A. That I didn't have it at the time.

21 Q. Okay. So it refreshes your recollection that
22 there was no proof of valid insurance in the car
23 at the time you were pulled over?

1 A. That's the updated one, yeah.

2 Q. Okay. And so does reviewing your -- the
3 transcript in Defendant's Exhibit B refresh your
4 recollection that you were, in fact, issued three
5 tickets that day?

6 MS. WILLIAMS: Objection. You said four. Page four,
7 last paragraph.

8 MR. SAHASRABUDHE: Right. But he says four, but I
9 think he describes three.

10 Well, let's, why don't we do this. I'm
11 going to introduce Defendant's Exhibit C, and I
12 think this will help us.

13

14 (Whereupon, an Order was then received and
15 marked as Defendant's Exhibit C, for
16 identification.)

17

18 BY MR. SAHASRABUDHE:

19 Q. I just handed you what's been marked as
20 Defendant's Exhibit C. Take a second to look
21 that over, and let me know when you think you've
22 had enough time to review it.

23 MS. WILLIAMS: She's asking for a break after she

1 answers the question.

2 MR. SAHASRABUDHE: Of course, yes. Because there's
3 no real question pending, we can take a break
4 right now.

5 THE WITNESS: Okay. Thank you.

6 (Whereupon, a short recess was then taken.)

7 BY MR. SAHASRABUDHE:

8 Q. Going back on the record after a short recess.
9 Before we took a break I had just handed you what
10 we marked as Defendant's Exhibit C, Miss Yeldon.
11 Have you had enough time to review it or do you
12 need a little more time?

13 A. I had time to review it.

14 Q. Okay. So would it be fair to say that this
15 document reflects that you were found guilty for
16 three violations of the Vehicle and Traffic Law
17 after your initial hearing?

18 A. No.

19 Q. So let me do this. Is it fair to say that after
20 this initial hearing that we talked about in
21 Defendant's Exhibit B, you appealed the
22 determination?

23 A. I appealed it in C.

1 Q. Yes.

2 A. What's the question?

3 Q. So you appealed the determination that was
4 rendered after the hearing reflected in B,
5 correct?

6 A. Yes.

7 Q. Okay. And after the hearing reflected in
8 Defendant's Exhibit B, you were found liable for
9 three violations of the Vehicle and Traffic Law
10 before your appeal, would that be correct?

11 A. It was four. I'm sorry. I'm getting confused.

12 Q. Well, let's read the first paragraph of Exhibit
13 C. It's fair to say it says upon, Ebony Yeldon's
14 notice of appeal filed May 24th, 2018 seeking
15 reversal of a conviction out of the City of
16 Buffalo Traffic Court Violations Agency, the
17 convictions were for two tinted window
18 violations.

19 A. Correct.

20 Q. And one no insurance, in violation of Vehicle and
21 Traffic Law 31901, entered on May 3rd, 2018.

22 A. Yes.

23 Q. Okay. So at least according to Judge Bargnesi,

1 there were three specific violations you were
2 found guilty of?

3 A. Yes.

4 Q. Okay. And you appealed that finding, correct?

5 A. Yes.

6 Q. Were you represented by counsel in connection
7 with your appeal?

8 A. No.

9 Q. Was there a hearing held in connection with your
10 appeal?

11 A. Yes.

12 Q. Okay. Was there a lawyer for the district
13 attorney's office present during that hearing?

14 MS. WILLIAMS: Objection. You can answer.

15 THE WITNESS: I'm not sure.

16 BY MR. SAHASRABUDHE:

17 Q. Was there any lawyer present during that
18 proceeding?

19 A. I'm not sure.

20 Q. Okay. Was there anyone besides you and the Judge
21 in the courtroom during that hearing?

22 A. Can I answer it like -- it was other people in
23 the courtroom, but as far as on this matter, it

1 was only me and the Judge talking.

2 Q. Okay. There was no other individual, as far as
3 you're aware, who made an appearance on that
4 date?

5 A. Correct.

6 MS. WILLIAMS: Objection. You can answer.

7 BY MR. SAHASRABUDHE:

8 Q. Would it be fair to say that Exhibit C reflects
9 the fact that your violation for having no
10 insurance was reversed?

11 A. Can you ask that question again?

12 Q. In other words, initially you were found liable
13 for having no insurance, for driving without
14 proof of insurance, correct?

15 A. Yes.

16 Q. But that was then reversed as a result of your
17 appeal, correct?

18 A. Yes.

19 Q. My question is, would it be fair to say that the
20 two violations for tinted windows were not
21 reversed, is that correct?

22 A. It was reversed, yes -- well, let me -- I'm
23 trying to figure out how to answer it. Because

1 he gave proof that they was removed.

2 Q. Right. So I'm making a distinction between the
3 proof of insurance violation, and then the
4 violations for the tinted windows. So we know
5 that the proof of insurance violation was
6 reversed, correct?

7 A. Yes.

8 Q. Were the tinted windows violations reversed, as
9 far as you know?

10 A. I'm gonna say it was, yes.

11 MS. WILLIAMS: Did you still have to pay the tickets?

12 BY MR. SAHASRABUDHE:

13 Q. Yes. You ultimately paid a fine, right?

14 MS. WILLIAMS: For the tinted windows?

15 THE WITNESS: Yes.

16 BY MR. SAHASRABUDHE:

17 Q. Okay. So at least part of the violations were
18 upheld in connection with your appeal, right?
19 The charges weren't completely dismissed, because
20 you ultimately had to pay a penalty, right?

21 A. I don't, I don't know how to -- yes.

22 Q. Okay. It's a little -- so what I really want to
23 know is, because we have, your attorneys have

1 produced records that there was citations issued
2 and that you made payments on the citations, so
3 it's not really -- what I want to know is, do you
4 recall one way or the other at the hearing in
5 connection with your appeal, whether the Judge
6 discussed tinted windows with you?

7 A. We didn't really discuss -- part of it was
8 granted, I can see that, but what happened with
9 me and the Judge, we didn't discuss that.

10 Q. Okay. Do you recall the Judge asking you
11 specific questions about what had taken place
12 between you and Officer Healy?

13 A. On the appeal?

14 Q. In the appeal, yes.

15 A. No.

16 Q. Okay. You just don't recall or is it your memory
17 that no questions were asked of you?

18 MS. WILLIAMS: Objection.

19 THE WITNESS: I don't remember. But he just asked me
20 did I P off the officer, and I told him no.

21 That's the only thing I remember.

22 BY MR. SAHASRABUDHE:

23 Q. Okay. And Officer Healy, was he present at all

1 during this appeal process?

2 A. Not while I was talking to the Judge, no.

3 Q. Okay. Was he in the courtroom?

4 A. Not sure.

5 Q. Okay. You don't recall him being there at all?

6 MS. WILLIAMS: Objection.

7 THE WITNESS: Not with me and the Judge, no.

8 BY MR. SAHASRABUDHE:

9 Q. Okay. During the pendency of your appeal, did
10 you submit anything in writing to the Judge,
11 before the day of the hearing, I should clarify?

12 A. Yes.

13 Q. Do you recall what you submitted?

14 A. No. I just remember -- no.

15 Q. Okay. Did you write -- was it in the form of a
16 letter correspondence?

17 A. Yes.

18 Q. Okay. Do you recall explaining the situation in
19 this letter correspondence?

20 A. Yes.

21 Q. Okay. Was it handwritten or was it typed?

22 A. Handwritten.

23 Q. All right. Do you know if you still have a copy

1 of that letter?

2 A. No.

3 Q. Okay. Have you gotten rid of it, do you know
4 whether or not you have gotten rid of it?

5 A. If you're asking me the original?

6 Q. Yes. Or any copy.

7 A. No.

8 Q. Okay. Is it possible you still have a copy of
9 it?

10 A. No.

11 Q. Okay. You know for a fact you do not have a copy
12 of it available to you?

13 A. No.

14 MR. SAHASRABUDHE: Okay. Well, just in case, I'm
15 going to index another request to the extent
16 that's available, we'd request that it be
17 produced.

18 BY MR. SAHASRABUDHE:

19 Q. Miss Yeldon, prior to this incident with Officer
20 Healy, had you ever had a ticket for a traffic
21 violation before?

22 A. Can you ask that again? I'm sorry.

23 Q. Prior to the incident we've been talking about

1 with Officer Healy, when you were in your cab in
2 South Buffalo, have you ever had a traffic
3 citation before?

4 A. Like parking?

5 Q. Yes. Anything, traffic, parking, moving
6 violation.

7 A. Yes.

8 Q. Do you recall about how many?

9 A. No.

10 Q. Is it more than two?

11 A. Yes.

12 Q. Is it more than five?

13 A. Not sure.

14 Q. Okay. Do you recall how many of those are for
15 parking violations?

16 A. No.

17 Q. Okay. Are any of them for parking violations?

18 A. Yes.

19 Q. How many specific parking violations can you
20 remember?

21 A. I don't.

22 Q. Okay. You don't recall any specifics about any
23 of those instances off the top of your head?

1 A. The one I spoke about East Ferry.

2 Q. Right. So we talked about after you got your
3 license back, now I'm talking about before this
4 instance with Officer Healy and when you lost
5 your license.

6 A. Yes.

7 Q. Can you tell me, have you ever gotten a moving
8 violation before the instance with Officer Healy?

9 A. Yes.

10 Q. Do you recall how many times?

11 A. No.

12 Q. Do you recall, is it more than one?

13 A. Yes.

14 Q. Do you recall when the last moving violation you
15 received was before this instance with Officer
16 Healy?

17 MS. WILLIAMS: Objection.

18 THE WITNESS: No.

19 BY MR. SAHASRABUDHE:

20 Q. Okay. Do you recall whether it was for speeding?

21 A. I have gotten a speeding ticket.

22 Q. Okay. Do you recall when?

23 A. No.

1 Q. Other than this incident with Officer Healy, can
2 you recall any incident where you were given
3 multiple tickets for vehicle and traffic
4 violations at the same time?

5 A. No.

6 Q. Okay. As far as you know, this incident was the
7 only time where you received multiple citations
8 for a vehicle and traffic violation
9 simultaneously, correct?

10 A. Correct.

11 MR. SAHASRABUDHE: All right. That's all I have.

12 THE WITNESS: Thank you.

13 MS. WILLIAMS: Can I ask some questions?

14 MR. SAHASRABUDHE: Yes.

15

16 EXAMINATION BY MS. WILLIAMS:

17

18 Q. Okay. Miss Yeldon, I'd like to go back to what
19 was been marked as Defendant's Exhibit B, and ask
20 you to look at the first paragraph, line two onto
21 the second period. Can you read that to
22 yourself, page five, line two?

23 A. Yes.

1 Q. Okay. Before you testified that you did not
2 raise the issue of the tint reader to the Judge,
3 do you remember that?

4 MR. SAHASRABUDHE: Form.

5 THE WITNESS: Yes.

6 BY MS. WILLIAMS:

7 Q. Okay. Do you remember whether or not, do you
8 remember whether or not you -- do you remember
9 why you did not raise the issue with the Judge?
10 If you don't remember, that's fine. You can say
11 you don't remember, that's fine.

12 A. I don't remember.

13 Q. Okay. Do you remember saying anything at all
14 about the tickets that were issued to you for the
15 tinted windows?

16 A. Yes.

17 Q. And what did you say to the Judge?

18 A. Would you like me to read it?

19 Q. In your own words you can say it.

20 A. That the police officer, he failed to say it was
21 a taxi vehicle, company car.

22 Q. And in that you mean, do you mean that the car
23 did not belong to you, and so you didn't -- you

1 did not argue about the tinted windows because
2 you did not think that the tinted windows should
3 have actually been issued to you?

4 A. Correct.

5 Q. Okay. And who do you think the tinted windows
6 ticket should have been issued to?

7 MR. SAHASRABUDHE: Form.

8 THE WITNESS: The owner.

9 BY MS. WILLIAMS:

10 Q. And as you sit here today, are you -- do you
11 remember or have you changed your testimony that
12 the officer did not actually use a tint reader?

13 MR. SAHASRABUDHE: Form.

14 BY MS. WILLIAMS:

15 Q. Is that still your testimony?

16 A. Yes.

17 Q. Okay. Thank you. I'd also like to go to what
18 has been marked as Defendant's Exhibit C. At the
19 third paragraph, it says both the Appellant and
20 Respondent appeared for oral argument on October
21 17, 2018. Do you know what an Appellant is or
22 who the Appellant is?

23 A. No.

1 Q. All right. So the Appellant would be you,
2 because you're the one who appealed the decision.
3 The Respondent would be the City of Buffalo
4 Traffic Violation Agency. Do you understand
5 that?

6 MR. SAHASRABUDHE: Form.

7 MS. WILLIAMS: Yes.

8 BY MS. WILLIAMS:

9 Q. Okay. On the day of the hearing with Judge
10 Bargnesi, do you remember going up to a podium?

11 A. This is the appeal?

12 Q. The appeal, yes. I'm sorry.

13 A. No.

14 Q. Do you remember -- if you could remember back to
15 that day, do you remember if you were sitting
16 down when your case was called or did you go up
17 to the Judge's -- did you go up to the podium?

18 A. No.

19 Q. Were you in your seat as your case was called?

20 A. Yes.

21 Q. And did you stand up after your case was called?

22 A. Yes.

23 Q. Did anyone stand up at the same time that you,

1 | anyone else stand up when this case was called?

2 | A. Not that I recall.

3 Q. Okay. Is it possible that the officer could have
4 been in the courthouse but you did not recognize
5 him?

6 | A. Yes.

7 MS. WILLIAMS: I have no further questions.

8

9 RE-EXAMINATION BY MR. SAHASRABUDHE:

10

11 Q. One follow-up. Do you remember was there a court
12 reporter transcribing what was going on in the
13 courtroom that day?

14 | A. No.

15 | Q. You don't remember?

16 | A. No.

17 MR. SAHASRABUDHE: Okay. That's all I have.

18 MS. WILLIAMS: That's all I have too.

19

20 * * * *

21

22

23

1 I HEREBY CERTIFY that I have read the
2 foregoing 109 pages and that, except as to those
3 changes set forth in the attached errata form(s),
4 they are a true and accurate transcript of the
5 testimony given by me in the above-entitled
6 action on December 13, 2022.

7
8
9
10 -----
11 EBONY YELDON
12
13

14 Sworn to before me this

15
16 ----- day of ----- 2023.
17

18
19 -----
20 Notary Public.
21
22
23

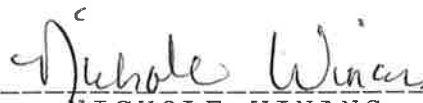
1 STATE OF NEW YORK)

2 SS:

3 COUNTY OF ERIE)

4
5 I, Nichole Winans, a Notary Public in and
6 for the State of New York, County of Erie, DO
7 HEREBY CERTIFY that the testimony of EBONY YELDON
8 was taken down by me in a verbatim manner by
9 means of Machine Shorthand, on December 13, 2022.
10 That the testimony was then reduced into writing
11 under my direction. That the testimony was taken
12 to be used in the above-entitled action. That
13 the said deponent, before examination, was duly
14 sworn by me to testify to the truth, the whole
15 truth and nothing but the truth, relative to said
16 action.

17 I further CERTIFY that the above-described
18 transcript constitutes a true and accurate and
19 complete transcript of the testimony.

20
21 
22 _____
23 NICHOLE WINANS,
Notary Public.

ERRATA FORM

PAGE _____ LINE _____ CORRECTION: _____

REASON: _____

PAGE _____ LINE _____ CORRECTION: _____

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